

REMARKS

STATUS OF THE CLAIMS

Claims 1, 3, 5-14, 16, and 18-31 are presently pending. No claim amendments have been made and, therefore, no new matter has been added.

REJECTION UNDER 35 U.S.C. §103

Claims 1-3, 5-16, and 18-31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,492,638 to Wallace et al. ("Wallace") in view of U.S. Patent No. 5,358,650 to Srinivasan et al. ("Srinivasan") and U.S. Patent No. 6,030,930 to Emert et al. ("Emert"). Applicants respectfully disagree and submit that the combination of references fails teach or suggest the claimed invention. Moreover, claims 2 and 15 were cancelled in the Amendment filed July 9, 2007, thereby rendering their rejections moot.

The Examiner has argued that *Wallace* teaches the claimed dispersant compound, d. See page 3 of the outstanding Office Action. Applicants respectfully disagree. Applicants respectfully submit that neither *Wallace*, *Srinivasan*, nor *Emert* teach or suggest the presently claimed dispersant compound, d.

Wallace teaches various condensation products formed by condensing a long chain hydrocarbyl-substituted phenol with one or more aliphatic aldehydes and one or more general polyamines. See col. 3, lines 30-40. For instance, the additive concentrate of *Wallace* utilizes a boronated Mannich ashless dispersant. See col. 7, line 60. However, the reference does not particularly teach or suggest a polyolefin amide compound, as presently claimed.

Moreover, *Srinivasan* does not overcome the deficiency of *Wallace*. *Srinivasan* teaches a wide variety of oil-soluble phosphorus or boron-containing ashless dispersants. See paras. [0043] to [0058]. In particular, the Examiner has relied on *Srinivasan* for teaching alkenyl succinic acid esters and diesters of polyhydric alcohols containing 2-20 carbon atoms and 2-6 hydroxyl groups. See page 4 of the outstanding Office Action. However, the reference does not particularly teach or suggest a polyolefin amide compound, as presently claimed.

Furthermore, *Emert* does not overcome the deficiency of *Wallace*. *Emert* teaches copolymers derived from ethylene and 1-butene that can be generally functionalized. See Abstract and col. 26, line 11 to col. 29, line 20. The functional group typically will be polar and contain hetero atoms such as P, O, S, N, halogen and/or boron. However, there is no teaching or suggestion for an amido functional group in particular. Rather, the reference teaches that useful functional groups include halogen, carboxyl materials present as acids, ester, salts, or anhydrides, alcohols, amines, ketones, aldehydes, and the like. Useful functionalization reactions include maleation; halogenation; reaction of the polymer by the "ene" reaction absent halogenation; reaction of the polymer with at least one phenol group; reaction of the polymer using a Koch-type reaction; reaction of the polymer by free radical addition using a free radical catalyst; reaction of the polymer by air oxidation methods, epoxidation, ozonolysis, etc. See col. 26, lines 23-56. In fact, the most preferred functionality is to chemically modify the polymer to contain at least one acyl functional group. See col. 28, lines 8-11. Moreover, none of the examples in *Emert* utilize any polyolefin amide compound. The mere mention that it is "possible to form" amide or imide linkages is insufficient to render

the present invention obvious, especially because the reference teaches that the preferred functionality is an acyl functional group. Therefore, the reference fails to particularly teach or suggest a polyolefin amide compound. Thus, *Srinivasan* and *Emert* both fail to overcome the deficiency of *Wallace*.

For at least the foregoing reasons, the combination of *Wallace*, *Srinivasan*, and *Emert* fails to teach or suggest all of the claimed elements. Therefore, the Examiner has failed to establish that the combination of cited references would have rendered obvious the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.


CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

Dated: August 8, 2008

By: 
Carol L. Cole
Reg. No. 43,555